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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,603	03/14/2001	Selene K. Makarios	M-9681 US	4994

27869 7590 07/12/2004

SKJERVEN MORRILL LLP  
THREE EMBARCADERO CENTER, 28TH FLOOR  
SAN FRANCISCO, CA 94111

EXAMINER
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DENNISON, JERRY B

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/809,603	<b>Applicant(s)</b> MAKARIOS ET AL.	
	<b>Examiner</b> J. Bret Dennison	<b>Art Unit</b> 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. This Action is in response to Application Number 09/809,603 n 14 March 2001.
2. Claims 1-14 are presented for examination.

### ***Claim Objections***

Claims 1, 2, 6, 8, 9, and 13 are objected to because of the following informalities:

3. Claims 1 and 8 are in outline form. Appropriate correction is required.
4. Claims 2, 6, 9, and 13 recite the limitation "step c." Examiner will interpret the limitation as "the step of formulating." Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 4, 5, 8, 11, and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 1, 4, 5, 8, 11, and 12 recite the limitation "one or more." Including "one or more resources" can be interpreted as not having any resources. Examiner will interpret this limitation as "one or more."

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Jindal et al. (U.S. Patent Number 6,092,178).

7. Regarding claim 1 Jindal discloses a method for locating resources within a computer network, the method comprising the steps of:

formulating, by a client computer, a query, the query including one or more attributes (Jindal, col. 5, lines 40-50, Jindal teaches the client making a request);

sending, by the client computer, the query to a server computer (Jindal, col. 5, lines 40-50, Jindal teaches the client sending the request);

formulating, by the server computer, a response, the response including one or more resources identified by the attributes in the query (Jindal, col. 5, lines 40-50, Jindal teaches the server performing DNS services on the request); and

sending, by the server computer, the response to the client computer (Jindal, col. 5, lines 40-50, col. 6, lines 1-15 Jindal teaches the server sending back a response to the request).

8. Regarding claim 2, Jindal teaches the limitations, substantially as claimed, as described in claim 1, including wherein the step of formulating further comprises the step mapping, by the server computer, the attributes in the query to one or more resources within the computer network (col. 5, lines 19-30, col. 6, lines 1-15, Jindal teaches the DNS database mapping attributes from the query to network resources).

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9. Regarding claim 3, Jindal teaches the limitations, substantially as claimed, as described in claim 2, including wherein the step mapping further comprises the step of searching a network database containing mappings between attributes and resources (col. 5, lines 19-30, col. 6, lines 1-15).

10. Regarding claim 4, Jindal teaches the limitations, substantially as claimed, as described in claim 1, including wherein the response includes one more alphanumeric strings associated with the resources identified by the attributes in the query (col. 5, lines 19-30, col. 6, lines 1-15).

11. Regarding claim 5, Jindal teaches the limitations, substantially as claimed, as described in claim 1, including wherein the response includes one or more numeric addresses associated with the resources identified by the attributes in the query (col. 5, lines 19-30, col. 6, lines 1-15).

12. Regarding claim 6, Jindal teaches the limitations, substantially as claimed, as described in claim 5, including wherein the step of formulating further comprises the step of translating alphanumeric strings associated with the resources to equivalent numeric addresses (col. 5, lines 19-30, col. 6, lines 1-15, Jindal teaches the DNS database searching for an address based on an identifier).

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13. Regarding claim 7, Jindal teaches the limitations, substantially as claimed, as described in claim 6, including wherein the server computer performs the translating step using a DNS lookup (Jindal, col. 5, lines 58-60).

14. Claims 8-14 involve a data storage medium performing the limitations of claims 1-7. Therefore claims 8-14 are rejected by the art used in the above rejection of claims 1-7.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bret Dennison whose telephone number is (703)305-8756. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703)308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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J. Bret Dennison  
Patent Examiner  
Art Unit 2143



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SUPERVISORY PATENT EXAMINER  
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